



**Indian Education Division**  
Montana Office of Public Instruction  
Linda McCulloch, Superintendent  
In-state toll free 1-888-231-9393  
[www.opi.mt.gov/IndianEd](http://www.opi.mt.gov/IndianEd)

## **Smith River State Park Indian Education For All Lesson Plan**

### **Title**

Occupation, Use and Settlement of the Smith River

### **Content Areas**

United States History; Technology; Library Media

### **Grade levels**

11<sup>th</sup>/12<sup>th</sup>

### **Duration**

5 class periods

### **Goals (Montana Standards/Essential Understandings)**

**Social Studies Content Standard 1:** Students access, synthesize, and evaluate information to communicate and apply social studies knowledge to real world situations.

Rationale: Every discipline has a process by which knowledge is gained or inquiry is made. In the social studies discipline, the information inquiry process is applied to locate and evaluate a variety of primary and secondary sources. Information gathered in this manner is then used to draw conclusions in order to make decisions, solve problems and negotiate conflicts. Finally, as individuals who participate in self-governance, the decision making process needs to be understood and practiced by students as they prepare to take on civic and economic responsibilities.

Benchmarks: Students will:

1. Analyze and adapt an inquiry process (i.e., identify question or problem, locate and evaluate potential resources, gather and synthesize information, create a new product, and evaluate product and process).
2. Apply criteria to evaluate information (e.g., origin, authority, accuracy, bias, and distortion of information and ideas).
3. Synthesize and apply information to formulate and support reasoned personal convictions within groups and participate in negotiations to arrive at solutions to differences (e.g., elections, judicial proceedings, economic choices, community service projects).

**Library Media Content Standard 1:** Students understand an inquiry process including how to access, evaluate and use information.

Rationale: Students encounter overwhelming amounts of information in today's world. They must be prepared to access, evaluate and use resources that effectively and efficiently meet their information search. The inquiry process provides a systematic approach that applies to all academic and personal interests and work endeavors. Students who have the opportunity to practice a process that orders and organizes the vast quantities and varying qualities of information are empowered lifelong learners.

Benchmarks: Students will: 1. Analyze and adapt the inquiry process to satisfy individual and group information needs (i.e., identify the question or problem, locate and evaluate potential resources, gather and synthesize information, create a new product, and evaluate the product and process).

**Technology Content Standard 5:** Students develop the skills, knowledge and abilities to apply a variety of technologies to conduct research, manage information and solve problems.

Rationale: Current and emerging technology tools will provide increased and alternative methods for problem solving and thinking. Students must be able to assess the credibility of information sources, use sophisticated search technologies to support research, problem solving and decision making.

Benchmarks: Students will: 3. Organize and analyze information from technical sources and communicate findings.

**Essential Understanding 1:** There is great diversity among the 12 tribal Nations of Montana in their languages, cultures, histories and governments. Each Nation has a distinct and unique cultural heritage that contributes to modern Montana.

**Essential Understanding 4:** Reservations are land that have been reserved by the tribes for their own use through treaties and was not “given” to them. Some reservations were created through treaties while others were created by statutes or executive orders. The principle that land should be acquired from the Indians only through their consent with treaties involved three assumptions: (1) That both parties to treaties were sovereign powers; (2) that Indian tribes had some form of transferable title to the land; and (3) that acquisition of Indian lands was solely a government matter not to be left to individual colonists.

**Essential Understanding 5:** There were many federal policies put into place throughout American history that have impacted Indian people and shape who they are today. Much of Indian history can be related through several major federal policy periods. Examples: (1) Colonization Period; and (2) Treaty Period.

**Essential Understanding 6:** History is a story and most often related through the subjective experience of the teller. Histories are being rediscovered and revised. History told from an Indian perspective conflicts with what most of mainstream history tells us.

## **Introduction**

The Smith River is named after Robert Smith, Secretary of the Navy during the time of the Lewis and Clark Expedition. Like most rivers these explorers encountered, they named it, took its longitude and latitude, and marked it on a map. Thereby, the territory became not only part of the Louisiana Purchase, bought by the United States

from France in 1803, but also a location on which Americans had actually trod. The presence of the Lewis and Clark Expedition, actually a U.S. Army operation, enforced and enhanced the U.S. claim to the Smith River and the surrounding land.

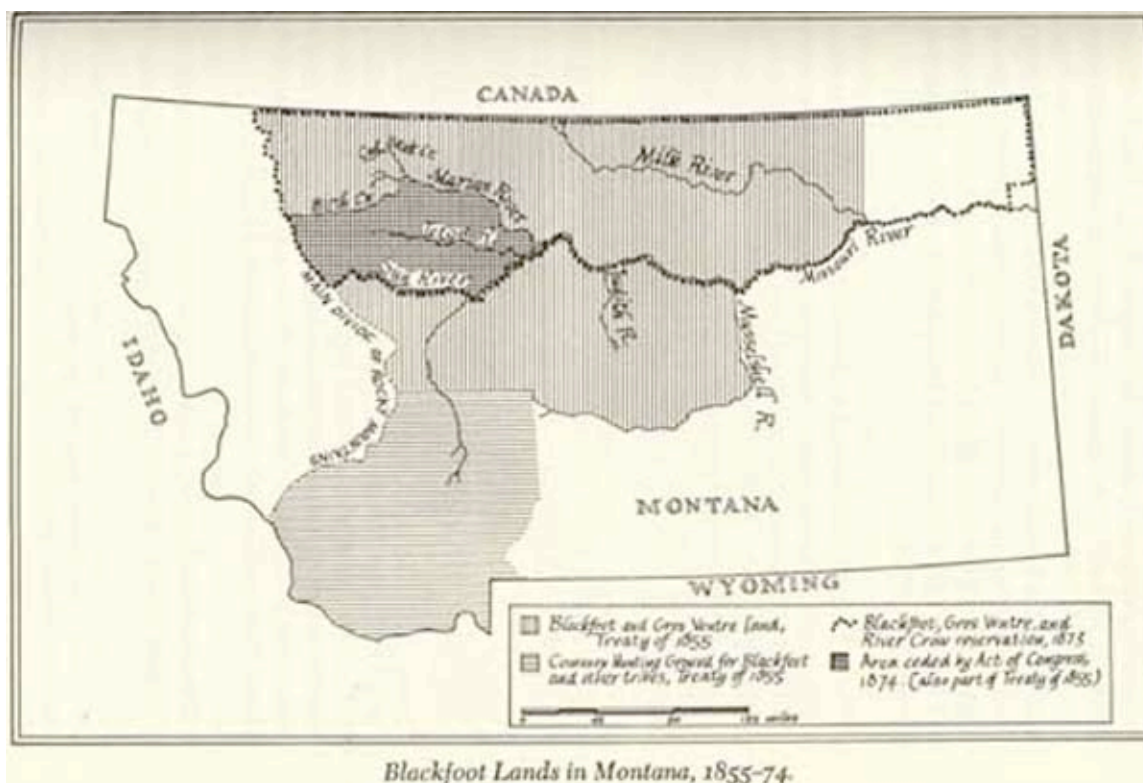
Strangely, these lands that were part of the larger \$15 million purchase had not been actually owned by France, anymore than they were now owned by the United States. But the lands were claimed by one, then the other, by right of conquest, which in turn was based on another right, or natural right (these are all European-law based “rights”). Natural right reasons that if a people are perceived as not making such productive use of the land as to be worthwhile, then other people may take it—kill or otherwise remove its inhabitants, resettle it, and make it productive.

European colonists, and Americans after them, deemed that American Indians were not making good, productive use of the vast lands they occupied and managed. So, the Europeans and Americans believed that they had the legal right to take the Indian land, although for a price. The price of the land, that is, its value was set by the whites.

Article 5 of the Fort Laramie Treaty of 1851 determined that the lands encompassing the Smith River and its surrounding landscape was “the territory of the Blackfoot [sic].” However, Article 1 of the treaty stated, in contradiction to Article 5, that the U.S. Government had extensive rights to build roads, and military and other posts on this land. In exchange for this right, the U.S. paid the following: (a) protection against “depredations” of Indian people by U.S. citizens; and (b) \$50,000 for 50 years, later changed to ten years—although the change, which is certainly significant and has long been challenged by the affected Indian tribes, including the Blackfeet, remained.

Then in 1855, another treaty, the Lane Bull Treaty, was negotiated between the Blackfeet and the U.S. This treaty still stipulated the borders of the Blackfeet territory as that described in the previous treaty. Article 7 of the treaty provided that, “citizens of the United States may live in and pass unmolested through the countries respectively occupied and claimed by them.” The U.S. was also “bound to protect said Indians against depredations and other unlawful acts which white men residing in or passing through their country may commit.” Article 8 of the treaty stated clearly U.S. rights to occupy and manage this land.

*For the purpose of establishing travel thoroughfares through their country, and the better to enable the President to execute the provisions of this treaty, the aforesaid nations and tribes do hereby consent and agree, that the United States may, within the countries respectively occupied and claimed by them, construct roads of every description; establish lines of telegraph and military posts; use materials of every description found in the Indian country; build houses for agencies, missions, schools, farms, shops, mills, stations, and for any other purpose for which they may be required, and permanently occupy as much land as may be necessary for the various purposes above enumerated, including the use of wood for fuel and land for grazing, and that the navigation of all lakes and streams shall be forever free to citizens of the United States.*



For the virtual ownership of these lands, the U.S. paid the Blackfeet \$20,000 a year for ten years, to be distributed as supplies and equipment “as the President” or his agents saw fit. The 1855 treaty, however, still did not open this vast territory of the Blackfeet to white homesteading or settlement. That is, white settlers, miners, ranchers, etc., still could not actually own the lands they occupied until 1874, when these lands were legally transferred to the U.S. Government.

The Executive Order of 1873, which set apart a reserve for the joint occupancy of the Gros Ventre, Blackfeet, and River Crows, the Great Northern Reservation (see map above), and the Act of Congress in 1874 moved the southern border of Blackfeet territory 200 miles north, thereby, opening lands, including the Smith River Valley, to white settlement. Whereas natural right, as noted above, stipulated that payment for lands taken to increase their productivity be paid for, no compensation to the Blackfeet for the loss of so much land was forthcoming.

Per the treaties and other legal means, the U.S. Army established Camp Baker, later Fort Logan, on the Smith River during 1869-1870. The purpose of the post was to protect white settlers from Indian raiders, even though these whites had taken land in what was legally recognized by the U.S. Government as Blackfeet territory.

## Overview

In this lesson students will explore the settlement (that is, occupation and use) of the Smith River area by first the Blackfeet and then its resettlement by white trappers, miners, farmers, ranchers, and other during the mid-to-late 19<sup>th</sup> century. Students will explore legal concepts such as “right of conquest” and “natural right” as these pertain to the legal foundation for such primary historical documents as treaties, Executive Orders, and Acts of Congress. Student will explore the process by which the lands comprising the Smith River area were deemed “the territory of the Blackfeet” on the one hand, then on the other hand opened to white settlement with U.S. Army protection. Students will

demonstrate their knowledge of the process of historical transfers of massive parcels of land from Montana Indians tribes such as the Blackfeet to the U.S. Government. In addition, since all 12 present-day Indian tribes used, occupied, or otherwise managed the lands of the greater central Montana region, including the Smith River area, students will demonstrate their knowledge of the contemporary culture at least one Montana Indian tribe.

### **Materials or Resources Needed**

- Computers; Internet
- OPI Indian Education Resources
- *The Blackfeet* (see bibliography below for to access to materials/resources)
- *A History of Fort Logan (Camp Baker), Montana*, by Thomas E. Twichel
- *The Smith River Journal: A History from Lewis & Clark to 1979*
- *The Journals of Lewis and Clark Online*
- The Fort Laramie Treaty of 1851
- The Blackfeet Treaty of 1855

### **Activities and Procedures**

The classroom teacher needs to obtain and read the 41-page publication, “A History of Fort Logan (Camp Baker), Montana,” from the Montana State University—Bozeman or Carroll College libraries. This publication offers, in a nutshell, the rationale from the white settler-rancher point of view for the intervention of the U.S. Army against the Blackfeet and other Indians on the plains of west-central Montana Territory during the period from 1869-1880. This point of view contrasts widely with that of the Blackfeet as portrayed in the web pages of *The Blackfeet* (see URL in Bibliography) by Dr. Sally Thompson.

**Class Period 1**—ideally team-taught by History and Technology teachers, and Librarian

1. Duration 30 minutes: Students use computers to access Internet. Break the class into nine groups. Assign each group one of the topics below. Each is a “hot link” on *The Blackfeet* web pages (see URL in Bibliography)
  - a. Since Time Immemorial
  - b. Homeland of the Blackfeet
  - c. All My Relations
  - d. Camp Life and Seasonal Round
  - e. Buffalo Hunt
  - f. Before the Long Knives
  - g. The Long Knives
  - h. Making Treaties
  - i. The Shrinking Reservation

Students in their groups take notes pertaining to: What, When, and Where

2. Duration 10 minutes: Students use computers to access Internet and download and print copies of the Fort Laramie Treaty of 1851 and the Blackfeet Treaty of 1855 (URLs in Bibliography)
3. Students will read the treaties in preparation for Class Period 4

### **Class Period 2 & 3**

The History teacher leads a full class discussion of *The Blackfeet* with each group reporting on their findings.

#### **Class Period 4**

1. The History teacher will lecture for 12-15 minutes, providing an overview of the rationale from the white point of view for the intervention of the U.S. Army in west-central Montana during 1869-1880 as this is portrayed in the publication, “A History of Fort Logan (Camp Baker), Montana.”
2. The teacher will then lead a full-class discussion of (1) his/her presentation, (2) what the students have learned about the Blackfeet from the web pages named the same, and (3) their reading of the two treaties. Some questions to pose include the following:
  - a. How is the ethnicity of Blackfeet people defined?
  - b. What characterizes Blackfeet culture?
  - c. Where do Blackfeet live now?
  - d. Where have Blackfeet lived historically?
  - e. What is the current Blackfeet population? One hundred years ago?
  - f. How did the United States gain the land of Blackfeet people?
  - g. Who are the key players in Blackfeet history with the United States?
  - h. What are the major battles, events, treaties or other milestones that define the history of Blackfeet people as it relates to the United States?
  - i. What is the legal status of Blackfeet? What does this mean?
  - j. To what rights or privileges are Blackfeet people entitled?
  - k. What are the relevant treaties, Executive Orders, and Acts of Congress?
  - l. What are the main points of such legalities?
  - m. When was each one passed?
  - n. How did each one come about?
  - o. Who supported and opposed the legal measures? Why?
  - p. What laws protect or govern the land Blackfeet people live on?

#### **Assessment**

1. Student participation in discussion
2. Student self- and peer evaluations of group discussions
3. Students write a major research paper (5-pages) on one Montana Indian tribe—Salish, Pend d' Oreille, Kootenai, Blackfeet, Chippewa, Cree, Gros Ventre, Assiniboine, Dakota (Sioux), Northern Cheyenne, Crow, or Little Shell Chippewa. The teacher should suggest areas of paper content from the list of questions above.

#### **Extensions (Online Materials and Teaching Ads) and Bibliography**

Center for Great Plains Studies. *The Journals of the Lewis and Clark Expedition Online*. <http://libtextcenter.unl.edu/lewisandclark/index.html>

Judy, Mark A. “Powder Keg on the Upper Missouri: Sources of Blackfeet Hostility, 1730-1810,” *American Indian Quarterly* 11, no. 2 (1987): 127-144.

Kappler, Charles J. “Treaty of Fort Laramie, 1851,” *Indian Affairs: Laws and Treaties Vol. IV, Laws* (Washington: Government Printing Office, 1929). URL: [http://digital.library.okstate.edu/Kappler/Vol4/html\\_files/v4p1065b.html](http://digital.library.okstate.edu/Kappler/Vol4/html_files/v4p1065b.html)

Kappler, Charles J. "Blackfeet Treaty of 1855," *Indian Affairs: Laws and Treaties Vol. IV, Laws* (Washington: Government Printing Office, 1929). URL: <http://digital.library.okstate.edu/kappler/Vol2/treaties/bla0736.htm>

Lewis, Oscar. *The Effects of White Contact upon Blackfeet Culture with Special Reference to the Fur Trade* (Seattle: University of Washington Press, 1941).

Malone, Michael, et al. Chapter 6, "Indian Removal, 1851-1890," *Montana: a History of Two Centuries*, Revised 1979 Edition (Seattle: University of Washington Press, 1995)

Salish-Pend d'Oreille Culture Committee. *The Salish People and the Lewis and Clark Expedition* (Lincoln: University of Nebraska Press, 2005).

Smith River Historical Society. *The Smith River Journal: A History from Lewis & Clark to 1979* (Great Falls: Author, 1979).

Thompson, Sally & Kimberly Lugthart. "The Blackfeet," *Regional Learning Project of the University of Montana*. URL: <http://www.trailtribes.org/greatfalls/home.htm>

Twichel, Thomas E. "A History of Fort Logan (Camp Baker), Montana" (Cum Laude Recognition, Carroll College, 1957).